



1 JORDAN P. SCHNITZER, ESQ.
2 Nevada Bar No. 10744
3 THE SCHNITZER LAW FIRM
4 9205 W. Russell Road, Suite 240
5 Las Vegas, Nevada 89148
6 Telephone: (702) 960-4050
7 Facsimile: (702) 960-4092
8 Jordan@TheSchnitzerLawFirm.com

9
10 GERALD F. NEAL, ESQ.
11 Nevada Bar No. 353
12 GERALD F. NEAL ESQ., LLC
13 6765 W Charleston Blvd, Suite 130
14 Las Vegas, NV 89146
15 Telephone: (702) 380-1234
16 Facsimile: (702) 380-1292
17 Geraldfneal@aol.com

18
19 *Attorney for Defendant,*
20 *Kevin Scharringhausen*

21
22
23
24 UNITED STATES DISTRICT COURT

25 DISTRICT OF NEVADA

26 EVANSTON INSURANCE COMPANY,

27 Plaintiff,

28 vs.

VENTURE POINT, LLC; KEVIN
29 SCHARRINGHAUSEN; and Does 1 to 100,

Defendants.

Case No.: 2:20-cv-01783-KJD-EJY

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING ON
MOTION TO COMPEL EVANSTON
[ECF 41] AND MOTION TO QUASH OR
MODIFY SUBPOENAS DUCES TECUM
TO BURNS & WILCOX ENTITIES AND
CHAUNCY INSURANCE [ECF 50]

25 COMES NOW, Defendant, KEVIN SCHARRINGHAUSEN (“Scharringhausen”), by and
26 through his counsel of record, The Schnitzer Law Firm and the Law Firm Gerald F. Neal Esq.,
27 LLC, Plaintiff, EVANSTON INSURANCE COMPANY (“Evanston”) by and through its counsel
28 of record the law firm Nicolaides Fink Thorpe Michaelides Sullivan LLP and Helm & Associates,

1 Defendant, VENTURE POINT, LLC (“Venture Point”) by and through its counsel of record the
2 law firm of Hawkins Melendrez, P.C., BURNS & WILCOX, LTD., BURNS & WILCOX OF
3 ARIZONA, LTD., AND BURNS & WILCOX OF NEVADA, LTD, (collectively “Burns &
4 Wilcox”) by and through its counsel of record the law firm of Wolfe and Wyman LLP, and
5 CHAUNCY INSURANCE (“Chauncy”) by and through its counsel of record the law firm of
6 Gordon Rees Scully Mansukhani, LLP, hereby submit their Stipulation and Order to continue the
7 Hearing on Motion to Compel Evanston [ECF 41] and Motion to Quash or Modify Subpoenas
8 Duces Tecum to Burns & Wilcox Entities and Chauncy Insurance [ECF 50].

9 WHEREAS, Evanston filed the Complaint for declaratory relief in this action on September
10 24, 2020 (the “Complaint”);

11 WHEREAS, all briefing on the Motion to Compel Evanston has been completed. On May
12 3, 2021, Scharringhausen filed the Motion to Compel Evanston [ECF 41]. On May 17, 2021,
13 Evanston Responded to the Motion to Compel Evanston [ECF 46], and on May 24, 2021,
14 Scharringhausen filed his Reply to the Motion to Compel Evanston [ECF 48];

15 WHEREAS, all briefing on the Motion to Quash or Modify Subpoenas Duces Tecum to
16 Burns & Wilcox Entities and Chauncy Insurance has been completed. On June 4, 2021, Evanston
17 filed the Motion to Quash or Modify Subpoenas Duces Tecum to Burns & Wilcox Entities and
18 Chauncy Insurance [ECF 50]. On June 10, 2021, Burns & Wilcox filed a Joinder to the Motion to
19 Quash or Modify Subpoenas Duces Tecum to Burns & Wilcox Entities and Chauncy Insurance
20 [ECF 51]. On June 15, 2021, Chauncy Insurance Filed a Joinder to the Motion to Quash or Modify
21 Subpoenas Duces Tecum to Burns & Wilcox Entities and Chauncy Insurance [ECF 57]. On June
22 18, 2021, Scharringhausen Responded to the Motion to Quash or Modify Subpoenas Duces Tecum
23 to Burns & Wilcox Entities and Chauncy Insurance [ECF 58], and on June 24, 2021, Burns &
24 Wilcox filed their Reply in support of Joinder to the Motion to Quash or Modify Subpoenas Duces
25 Tecum to the Burns & Wilcox Entities and Chauncy Insurance. [ECF 60]. On June 25, 2021,
26 Evanston filed their Reply to the Motion to Quash or Modify Subpoenas Duces Tecum to the Burns
27 & Wilcox Entities and Chauncy Insurance. [ECF 62];

28 WHEREAS, attorneys for Scharringhausen will be out of state on the date of the Hearing,
the Parties agree to continue the Hearing on the Motion to Compel Evanston [ECF 41] and the



1 Motion to Quash or Modify Subpoenas Duces Tecum to Burns & Wilcox Entities and Chauncy
2 Insurance [ECF 50] currently scheduled for Monday July 19, 2021, at 1:30 pm to one of the
3 proposed dates below.

- 4 • **Monday, August 23, 2021**
5 • **Tuesday, August 24, 2021**
6 • **Wednesday, August 25, 2021**
7 • **Thursday, August 26, 2021**
8 • **Monday, August 30, 2021**
9 • **Tuesday, August 31, 2021**

10 WHEREAS, this stipulation is not made for the purpose of delay or obstruction but is made
11 in good faith, and the continuance will not result in prejudice to any party.

12 THEREFORE, IT IS HEREBY STIPULATED that:

13 The Hearing on the Motion to Compel Evanston [ECF 41] and the Motion to Quash or
14 Modify Subpoenas Duces Tecum to Burns & Wilcox Entities and Chauncy Insurance [ECF 50]
15 currently scheduled for Monday July 19, 2021, at 1:30 pm will be continued to the following:

16 **August 24, 2021 at 10:00 a.m., in Courtroom 3B.**

17 THE SCHNITZER LAW FIRM

18
19 DATED this 7 day of July 2021
20 BY: /s/ Jordan P. Schnitzer, Esq.
21 JORDAN P. SCHNITZER, ESQ.
22 Nevada Bar No. 10744
23 9205 W. Russell Road, Suite 240
24 Las Vegas, Nevada 89148

25 GERALD F. NEAL, ESQ.
26 Nevada Bar No. 353
27 GERALD F. NEAL ESQ., LLC
28 6765 W Charleston Blvd, Suite 130
Las Vegas, NV 89146

Attorneys for Defendant,
Kevin Scharringhausen

NICOLAIDES FINK THORPE
MICHAELIDES SULLIVAN LLP

DATED this 7 day of July 2021.
BY: /s/ Jeffrey N. Labovitch, Esq.
JEFFREY N. LABOVITCH, ESQ.
Nevada Bar No. 10915
4250 Executive Square, Suite 540
La Jolla, CA 92037

KEVIN E. HELM, ESQ.
Nevada Bar No. 3432
HELM & ASSOCIATES
2330 Paseo Del Prado, Suite C103
Las Vegas, NV 89102

Attorneys for Plaintiff

1 HAWKINS MELENDREZ, P.C.

WOLFE & WYMAN LLP

2 DATED this 7 day of July 2021

DATED this 7 day of July 2021.

3 BY: /s/ Martin I. Melendrez, Esq.

BY: /s/ Jarad D. Beckman, Esq.

4 MARTIN I. MELENDREZ, ESQ.
5 Nevada Bar No. 7818
6 9555 Hillwood Drive, Suite 150
7 Las Vegas, NV 89134
Attorneys for Defendant,
8 *Venture Point, LLC*

JARAD D. BECKMAN, ESQ.
Nevada Bar No. 12328
6757 Spencer Street
Las Vegas, NV 89119
Attorneys for Burns & Wilcox, LTD.,
Burns & Wilcox of Arizona, LTD., and
Burns & Wilcox of Nevada, LTD.

9 GORDON REES SCULLY
10 MANSUKHANI, LLP

11 DATED this 7 day of July 2021.

12 BY: /s/ Dylan E. Houston, Esq.

13 DYLAN E. HOUSTON, ESQ.
14 Nevada Bar No. 13697
15 300 S. 4th Street, Suite 1550
16 Las Vegas, Nevada 89101
Attorneys for Chauncy Insurance

17 **ORDER**

18 **IT IS SO ORDERED.**

19 **IT IS FURTHER ORDERED that the hearing on the Motion to Compel Discovery**
20 **Responses (ECF No. 41) and Motion to Quash or Modify Subpoenas Duces Tecum to the**
21 **Burns & Wilcox Entities and Chauncy Insurance (ECF No. 50), currently scheduled for**
22 **July 19, 2021 shall be continued to August 24, 2021 at 10:00 a.m., in Courtroom 3B.**

23

24

25 DATED this 8th day of July 2021.

26 
27 Layna J. Zouchak
28 UNITED STATES MAGISTRATE JUDGE